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SUBJECT: AF Senior Advisor Shortley's visit to Nyabiondo,
a Microcosm of North Kivu

1. (SBU) Summary. MONUC peacekeepers in the southwestern North Kivu town of Nyabiondo told AF senior advisor Tim Shortley November 2 that negative forces encircling the town, including FDLR, Mayi Mayi, and National Council for the Defense of the People (CNDP) fighters, will not be easily dislodged, even in an all-out military offensive. The local population blames the international community for its plight, including the inability to support its own institutions, and fears that any attempt to forcibly evict negative forces will end in their own destruction. Local leaders reject the so-called "FDLR Plan" put forward by the GDRC, claim that they should be the arbiters for the eventual return of Tutsi refugees to the area, and feel that Laurent Nkunda and his CNDP forces are being pandered to. End summary.

2. (SBU) USG delegation (Senior Advisor to A/S AF Tim Shortley, Lt. Col. Mark Ellington, AF/ Julie Chalfin, Kinshasa Emboffs Marc Trahan and Greg Groth) traveled to Nyabiondo, Masisi Territory, on a MONUC PKO INDBATT (India Battalion) helicopter November 2. Nyabiondo, in North Kivu's Masisi territory, is approximately 100 kilometers (70 miles) northeast of Goma and is currently inaccessible by surface transportation due to poor road conditions between it and Masisi, the territorial capital. The delegation, joined by INDBATT Sake commander Col. Chand Seroha and representatives of the UN Office for Coordination of Humanitarian Affairs (OCHA), World Food Program (WFP), and the UN DDRRR program, received a briefing from INDBATT Mobile Operations Perimeter (MOP) personnel, based in Nyabiondo.

3. (SBU) The local population is 65 percent Hunde ethnicity, 25 percent Hutu ethnicity, and the remaining 10 percent is a mix of various ethnicities including Tutsis and Pygmies. The area of Nyabiondo is surrounded by a mlang of negative forces, including FDLR, Mayi Mayi, and a breakaway Mayi Mayi group known as PARECO. The Congolese Armed Forces (FARDC) and Congolese National Police (PNC) are also in and around Nyabiondo. CNDP armed forces (led by General Laurent Nkunda) extend to a few kilometers east of Nyabiondo from the Nkunda stronghold in Kilolirwe and Kichanga.

4. (SBU) INDBATT/Nyabiondo briefers indicated that FDLR troops around Nyabiondo consist of a battalion made up four companies, numbering perhaps 200 altogether. They said that the Mayi Mayi forces had few weapons, the FDLR somewhat more, but still not a weapon for each fighter. INDBATT said that there is evidence of some collaboration between Mayi Mayi and FDLR personnel in the area, as well as commercial trading between FDLR and CNDP troops at the Nyabiondo market, where negative forces check their weapons at the entrance and reclaim them after shopping.

FDLR Repatriation?

5. (SBU) INDBATT briefers said that total FDLR population in the territory is approximately 50,000 and that some have expressed interest in returning to Rwanda, but are afraid of arrest, despite their claim that 60-70 percent of them were not involved in the genocide. Some have apparently integrated locally in and around

Nyabiondo, marrying local women and raising children, but remain armed. INDBATT said that even boys of 13, born in the DRC, have been indoctrinated into the FDLR cause. INDBATT said that those FDLR who turn themselves in for repatriation to Rwanda prefer to do so with MONUC PKO, where they are fed, sheltered, and offered protection and transport, rather than the UN DDRRR program, in which they may spend a couple days "on the loose" before being taken charge of and provided material support. (Note: the delegation was told later by DDRRR personnel in Goma that since 2003, 10,000 FDLR fighters and their families/dependents have been repatriated to Rwanda through the DDRRR program. There are currently no DDRRR "sensitizers" operating in the Nyabiondo area actively working to convince the FDLR there to enter the program; UN's DDRRR program relies instead on dropping leaflets and emitting radio publicity about the repatriation program. End note.)

INDBATT: FDLR Forces Second Only to CNDP

¶6. (SBU) INDBATT believes that FDLR forces in the Nyabiondo, Masisi territory would be difficult, if not impossible, to dislodge from their positions in the hills. Their commanders are in communication with each other and exert reasonable command and control over their forces, which are widely dispersed and second only to CNDP forces in fighting ability, in INDBATT's opinion. FARDC ranks third, followed by Mayi Mayi forces. They noted that all negative forces, as well as local FARDC and PNC personnel, collect taxes on the mineral ores, mainly cassiterite (tin ore, currently valued at close to USD 10,000 per ton) emanating from Walikale, most of which is flown to Goma in small planes but some of which is transported via roads when passable. (Note. Sources estimate that 20 to 30 LET 410 aircraft, each capable of carrying up to one and half tons of ore, take off from Walikale and land in Goma each day. This trade could be worth over a quarter million dollars/day. End note.)

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International Community at Fault

¶7. (SBU) The USG delegation and UN agencies met next with local authorities from Nyabiondo, including local government, traditional chiefs, civil society representatives, and a PNC officer. They complained about the security situation in Nyabiondo and outlying areas, noting that both insecurity and poor road conditions have prohibited trucks from arriving from Goma via Masisi for over one month. The PNC officer compared the situation to HIV/AIDS, saying that the insecurity and socioeconomic difficulties they were facing were merely symptoms, like tuberculosis and opportunistic diseases, but that the real problem ("the virus") was an "international conspiracy" which had left the community powerless in the face of depredation by the FDLR and the threat of attack by CNDP forces. Another said that the international community had brought the FDLR to their zone, and that the international community must find a way to get them out.

Snake and Eggs?

¶8. (SBU) The officials felt that the GDRC, through the FARDC, had only succeeded in moving the FDLR westward into their community, which was now powerless to confront them. They feared that an offensive launched against either the FDLR or CNDP forces would prove disastrous for the local population due to their proximity to the conflict, likening it to killing a snake preying on a nest of chicken eggs. "You can chop off the snake's head, but you will break some eggs in the effort, and we are the eggs," said one. They also feared that brassage for the Congolese militias would fail, since they did not believe that Laurent Nkunda would be forced to participate, and that others would then return to attack Nkunda. They said that they were tired of dialogues, which had no effect, and that CNDP forces must be removed from the field somehow.

No Funds for Local Services

¶9. (SBU) Regarding domestic problems, the officials cited their inability to fund local services, since they were unable to collect their own taxes due to the depredations by the forces surrounding them. They insisted that Nkunda and his troops were being handled too gently, and that this was because without Nkunda, there would be fewer jobs for the international community working the issue ("No Nkunda, no jobs.") The officials complained that the central and provincial governments in Kinshasa and Goma, respectively, were taking revenues from the territory, often through "mining agents," in addition to those exacted by negative forces. To add insult to injury, they were obliged to repair the road through their zone so that trucks transporting FARDC soldiers in and those carrying mineral ores out from Walikale to Goma could get through during most of the year.

Tutsi Refugee Returns

¶10. (SBU) The Nyabiondo officials expressed concern over the return of Congolese refugees, mainly Tutsis, from refugee camps in Rwanda. They claimed that the decisions on where and how these returnees could resettle in the area should be left up to local authorities, not the central or provincial government. They said that they knew well where these refugees had been prior to their exodus, and that they could determine whose land was whose. They concluded that the best way to handle refugee repatriation would be to allow pressure on the Rwandan government to force the issue.

The "FDLR Plan"

¶11. (SBU) Regarding the GDRC's "FDLR Plan," which they appeared to have some knowledge of, the officials again used the snake/eggs metaphor and asked the rhetorical question "How do you easily disarm someone who is holding a weapon?" They asked why the GDRC wanted to send the FDLR further west in the DRC and "all over the country," noting that some had already integrated locally, while others wanted to return to Rwanda but were either being physically prevented from doing so or were afraid to go back. They ended their presentation to the delegation by suggesting that the solution to the CNDP problem would have to be found in collaboration with the Rwandan government.

¶12. (SBU) Comment: The INDBATT assessment of the situation around Nyabiondo, plus the local population's fear of being caught in the crossfire, lends weight to the message that there is no military solution to this standoff. Distrust of the international community, the GDRC, the FARDC, and all negative forces (especially the CNDP)

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means that a way must be found to effect a simultaneous reduction in saber-rattling and depredation, once a ceasefire and a disengagement of those negative forces is achieved. Local communities need to see the peace dividend that was promised after elections, and this includes finding a way to give them back some power over their own finances and the ability to improve local infrastructure. FDLR repatriation and Congolese Tutsi refugee returns remain big question marks, and will require much more work and preparation before they can begin in earnest. The population of Nyabiondo and Masisi territory must not join the ranks of the hundreds of thousands of North Kivuans already caught up in conflict and displacement. End comment.

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